

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of |) | |
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| Takaaki TSUNODA et al. |) | Group Art Unit: Unassigned |
| |) | |
| Application No.: Unassigned |) | Examiner: Unassigned |
| |) | |
| Filed: January 27, 2004 |) | Confirmation No.: Unassigned |
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| For: SYSTEM AND METHOD OF |) | |
| DEPOSITION OF MAGNETIC |) | |
| MULTILAYER FILM, METHOD OF |) | |
| EVALUATION OF FILM DEPOSITION, |) | |
| AND METHOD OF CONTROL OF |) | |
| FILM DEPOSITION |) | |

FIRST
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The filing of this Information Disclosure Statement shall not be construed as a representation that a prior art search has been made.

In addition, the filing of this Information Disclosure Statement shall not be construed to be an admission that each of the references submitted herewith is in fact prior art with respect to the present application, or that each of the references is considered to be material to patentability as defined in § 1.56(b).

The documents are being submitted within 3 months of the filing and before the first Office Action on the merits, whichever is later, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: January 27, 2004

By:

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| Substitute for forms 1449A/PTO & 1449B/PTO | ATTORNEY'S DKT NO. 033897-004 | APPLICATION NO. Unassigned |
| | APPLICANT Takaaki TSUNODA et al. | |
| | FILING DATE January 27, 2004 | GROUP Unassigned |
| | FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT | |

| U.S. PATENT DOCUMENTS | | | | |
|-----------------------|--------------------|-------------------------|--|---|
| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
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| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|--------------------|-------------------------|---------|-------------------------------------|-----------------------|
| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | Translation Yes No |
| | 2002-167661 | | Japan | 06-11-2002 | Abstract Only |
| | 2002-030435 | | Japan | 01-31-2002 | Abstract Only |
| | 09-264848 | | Japan | 10-07-1997 | Abstract Only |
| | 2002-088471 | | Japan | 03-27-2002 | Abstract Only |
| | 06-241992 | | Japan | 09-02-1994 | Abstract Only |
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| NON PATENT LITERATURE DOCUMENTS | |
|---------------------------------|---|
| Examiner Initials | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
| | W. ZHU ET AL.. "DETERMINATION OF THE THICKNESS OF AL OXIDE FILMS USED AS BARRIERS IN MAGNETIC TUNNELING JUNCTIONS", American Institute of Physics, Applied Physics Letters, Vol. 78, No. 20, May 14, 2001, pp. 3103-3105 |
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| Examiner Signature | | Date Considered | |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.